IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 16238 of 2004

Between:

Smt. T.G. Vinayasheela, W/o. Ch. Vijay Prasad, aged 25 years, Occ: Private Teacher,
Resident of H.No. 1-7-510/8/C/3, Harinagar, Zamistanpur, Hyderabad.

..... PETITIONER

AND

1 The Andhra Pradesh Industrial Infrastructure Corporation Limited, 6th Floor,

Parisrama Bhavanam, Bashirbagh, Hyderabad, represented by the

Vice-Chairman and Managing Director.
2 R. Hanuanth Rao, Manager(LAC) & Enquiry Officer, APIIC Limited,
4th Floor, Parisrama Bhavanam, Bashirabagh, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more in the nature of writ of certiorari, directing the Respondent - Corporation to produce the records and quash the proceedings No. 94371/PW/APIIC/E3/87, Dt. 27-7-2004 of the Respondent - Corporation passed in pursuance of an ex-parte enquiry report, of the 2nd Respondent as illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India in the interest of justice.

Counsel for the Petitioner: MR.ARCOTNARAYAN RAO

Counsel for the Respondents: MR.JANARDHAN RAO KOTAMA RAJU

The Court at the stage of admission made the following:

ORDER:

The petitioner is the wife of an employee of the 1st respondent Corporation. Her husband remained absent from duty with effect from 03.03.2003 without any intimation or submitting any application for any kind of leave to the office. His whereabouts are not known. The petitioner also does not know the whereabouts of her husband. The 1st respondent, after waiting for some time, initiated disciplinary action against the husband of the petitioner, and after an enquiry, the husband of the petitioner was dismissed from service with effect from 27.07.2004. The petitioner, being aggrieved by the order of dismissal of her husband, dated 27.07.2004, approached this Court with a grievance that if the order of dismissal of her husband is allowed to stand, her children and herself will not get any monetary benefits and they would suffer.

2. Since the whereabouts of the husband of the petitioner are not known even till now, there is no option to the 1st respondent except dismissing the husband of the petitioner from service. There is no *locus standi* to the petitioner to question the order of the dismissal of her husband passed by the 1st respondent.

3. The Writ Petition is, accordingly, dismissed.

dsr/cs

SPECIAL OFFICER

To:

1. The Vice-Chairman and Managing Director,

The Andhra Pradesh Industrial Infrastructure

Corporation Limited, 6th floor, Parisrama Bhavanam,

Bashirbagh, Hyderabad.

2. The Manager (LAC) & Enquiry Officer,

APIIC Limited, 4th Floor, Parisrama Bhavanam, Bashirbagh,

Hyderabad

3. Two CD copies.